

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

Application of)	
)	
)	
ANTONOV AIRLINES)	Docket DOT-OST-2021-_____
)	
for an emergency exemption pursuant to)	
49 U.S.C. § 40109(g))	
)	

**APPLICATION OF ANTONOV AIRLINES
FOR AN EMERGENCY EXEMPTION**

Communications with respect to this document should be addressed to:

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On behalf of
ANTONOV AIRLINES

December 12, 2021

NOTICE: THIS APPLICATION IS BEING FILED PURSUANT TO THE EMERGENCY EXEMPTION PROCEDURES OF 14 C.F.R. § 302.311, WHICH AUTHORIZE THE DEPARTMENT TO ACT ON EMERGENCY EXEMPTION REQUESTS IMMEDIATELY. ANY PERSON INTERESTED IN FILING AN ANSWER IS REQUESTED TO DO SO IN THE ABOVE DOCKET IMMEDIATELY. COPIES OF THE SUBMISSION SHOULD BE SERVED ON THE PERSONS LISTED ABOVE AND ON THE ATTACHED SERVICE LIST.

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**APPLICATION OF ANTONOV AIRLINES
FOR AN EMERGENCY EXEMPTION**

Antonov Company d/b/a Antonov Airlines (“Antonov”) hereby applies for an emergency exemption pursuant to 49 U.S.C. §§ 40109(g) and 41703(c) to permit Antonov to operate one (1) one-way all-cargo charter flight transporting two (2) outsized trailer-mounted water filtration systems and associated parts and equipment from Detroit, Michigan (DTW) to Honolulu, Hawaii (HNL) during the period December 13-16, 2021, using an AN-124-100 aircraft.¹ Antonov respectfully requests immediate consideration and approval of this application, which will allow the expedited transport of water filtration units urgently needed to address a water contamination crisis in Hawaii.

In support of this application, Antonov states the following:

¹ Antonov plans to make a non-traffic/refueling stop en route from Detroit to Honolulu at Los Angeles (LAX) but requests the flexibility to make such a stop at an alternate West Coast location, to the extent necessary. The one-way DTW-HNL flight is currently anticipated to depart on the evening of December 13, 2021 and reach HNL the following day. Antonov requests approval dates of December 13-16, 2021 in case the operation is delayed due to cargo readiness issues or operational factors.

1. Antonov holds a foreign air carrier permit authorizing it to engage in charter all-cargo foreign air transportation between the United States and any point or points. *See* DOT Order 2016-10-18.

2. Vectrus Systems Corporation (“Vectrus”) is a U.S. military supplier that has chartered Antonov to operate an urgent one-way flight from DTW to HNL carrying two (2) outsized trailers mounted with water filtration tanks. These water filtration systems need to be delivered to Hawaii as quickly as possible in response to a water contamination situation that has severely impacted U.S. military personnel, their families, and other residents of Hawaii.² Each individual water filtration tank measures approximately 8’L x 8’W x 10’H. The tanks have been mounted on two trailers for mobility and immediate transport purposes. The first trailer unit measures approximately 53’6”L x 8’6”W x 13’6”H, and weighs 63,080 lbs. The second trailer unit measures approximately 48’6”L x 8’6”W x 13’1”H, and weighs 64,800 lbs. Units of these dimensions and weights cannot be loaded on freighter aircraft operated by U.S. air carriers.³ *See* the attached support letter from Vectrus for additional information.⁴

² Approximately 93,000 Hawaii residents have reportedly been affected by the water contamination, and some residents could be displaced for 6-8 weeks until the cause of the contamination is determined and resolved. *See* <https://www.cbsnews.com/news/hawaii-water-crisis-residents-displaced-army>.

³ The Applicant will contact the U.S. operators of large all-cargo aircraft set forth in the service list attached to this application to verify that each carrier cannot accommodate the cargo and does not oppose the grant of this application, and will notify the Department of the polling results.

⁴ Although the Vectrus letter suggests that three trailer units will need to be transported, Antonov has been informed that the filtration systems that it has been chartered to transport have been fitted on only two trailers.

3. This application meets all of the relevant criteria for the grant of an exemption under 49 U.S.C. § 40109(g):

a. Grant of this application is in the public interest. A supply of tap water used primarily by military households in Hawaii was recently contaminated with petroleum hydrocarbons, leaving the affected residents without safe drinking, cooking and cleaning water. The timely delivery of essential water filtration units using Antonov's AN-124-100 aircraft will help provide a safe source of water for many residents while they await the restoration of their regular supply of tap water.

b. Approval of the requested exemption is necessary to enable Antonov to respond to an urgent situation created by unusual circumstances. Vectrus has been contracted by the U.S. military to secure water filtration systems in response to the water crisis situation in Hawaii. Vectrus has secured suitable systems from the Clean Harbors company in Kalkaska, Michigan, and the filtration tanks are being trucked to DTW for expedited deployment to Hawaii. It would take an unacceptably long time to transport the filtration units by truck to the West Coast for subsequent movement by ocean vessel to Hawaii. As stated in the Vectrus support letter, it would take until *at least* January 3, 2022 to deliver these units by surface and ocean transportation, which would leave affected households without a safe water supply for more than two additional weeks. As a result, air freighter is the only means of transporting these water filtration capabilities (from Michigan to Hawaii) within an acceptable time frame. No civil aircraft operated by U.S. carriers is capable of carrying the trailer units. Antonov's AN-124-100 aircraft, on the other hand, is capable of accommodating this type of cargo, and the use of this aircraft type

is the only way to address the unusual circumstances faced by the affected residents in Hawaii.

c. Grant of this exemption is necessary to avoid unreasonable hardship for the cargo traffic that needs to move to Hawaii. Without approval of this application, outsized trailer-mounted water filtration tanks that are essential for the temporary provision of water service will not reach Hawaii in time to address the crisis at hand. Failure to authorize transportation of this cargo by an AN-124-100 aircraft would unnecessarily prolong the hardship experienced by the affected U.S. military families and other residents of Hawaii who have been left without a safe source of tap water.

4. Antonov has demonstrated its fitness and ability to carry out the proposed transportation. Antonov was first granted DOT authority in 1991 by Order 91-10-11 and has, since that time, operated numerous outsized cargo charters to, from, and (on limited occasions) within the United States. As noted above, Antonov holds DOT permit authority, which was issued by Order 2016-10-18.

5. Grant of this application is consistent with Department precedent. The Department has previously granted emergency exemptions to permit Antonov to conduct commercial flights between U.S. points on limited occasions where AN-124-100 aircraft were similarly needed to deliver outsized cargo, including expedited movements of supplies and equipment necessary to address humanitarian crises. The Department has consistently found that approval of such requests is in the public interest. *See, e.g.*, Notices of Action Taken dated October 19, 2017 (Docket DOT-OST-2017-0162) and August 23, 2018 (Docket DOT-OST-2018-0125).

6. Section 302.311 of the Department's Procedural Regulations provides that the Department may act on an emergency exemption application immediately. In light of the exigent circumstances, Antonov respectfully requests prompt approval of this emergency exemption application in order to enable Antonov to transport the water filtration systems needed by the residents of Hawaii.

WHEREFORE, for the foregoing reasons, Antonov respectfully requests that the Department issue an emergency exemption permitting Antonov to operate a single one-way all-cargo charter flight transporting two (2) outsized trailer-mounted water filtration systems and associated parts and equipment from Detroit, Michigan (DTW) to Honolulu, Hawaii (HNL) during the period December 13-16, 2021, as described herein, and grant such other or additional relief as the Department deems to be consistent with this application and the public interest.

Respectfully submitted,



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On behalf of
ANTONOV AIRLINES

December 12, 2021

From: Gibson, Russell <Russell.Gibson@vectrus.com>

Sent: Sunday, December 12, 2021 10:45 AM

Subject: RE: Letter of urgency to support critical mission to restore a clean water supply to support human life and well being

Vectrus Systems Corporation, a Delaware corporation
Principal offices at 2424 Garden of the Gods Road
Suite 300, Colorado Springs, Colorado 80919

Please take this note as our expression of the urgent need to support the US Military efforts to restore a clean water supply to the military personnel, their families, and all peoples impacted by the water contamination crisis in Hawaii. In order to expedite those efforts, we have secured water filtration systems from the Clean Harbors company in Kalkaska, MI. They are on 53' trailers, each holding two 10K water filtration tanks needed to make a single water processing unit. These units are being driven to the airport in Detroit today. Once they arrive in Hawaii, these three units will be deployed to three separate sites to drive the greatest impact on this current situation. To make this happen, we request the usage of the Antonov 124-100, as there are no other military aircraft (or commercial aircraft like a 747 Freighter) big enough that are available that can be ready to deploy immediately, and we still do not have a timeline of when those resources will be available. In addition, the quickest ocean vessels we have found with capacity will not allow us to deliver to Hawaii before Jan 3rd, 2022, at the very earliest. This is just not acceptable as these people have not had a viable source of water in their homes for approximately a week now, and as such this has become a top priority to resolve, with joint efforts to develop and execute on viable solutions just as soon as humanely possible.

We ask for your support in this united effort and appreciate all of your help.

Thank you,
Russ

Russ Gibson

Senior Transportation & Distribution Manager
HQ Supply Chain
719.591.3623 Desk
Russell.Gibson@vectrus.com



CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Application of Antonov Airlines for an Emergency Exemption by electronic mail upon the following:

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Jonathan Echmalian

DATED: December 12, 2021